

State Of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawaii

December 11, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

SUBJECT: Request from the Duke Aiona for Governor Campaign Committee to use the Large Pavilion at the Wailoa River State Recreation Area in Hilo, Hawaii, for a Political Fundraiser

The Duke Aiona for Governor Campaign Committee (Committee) is requesting the use of the large pavilion at the Wailoa River State Recreation Area (Event Site) to hold a political fundraiser (Event) on Friday, February 19, 2010 (Exhibit A).

The proposed Special Use Permit will be for February 19, 2010 only. The Committee will pre-sell the tickets for the fundraiser.

The Event, estimated to be attended by 200 supporters, will be from 10:00 a.m. to 11:59 p.m.

The submittal was sent to the Office of Hawaiian Affairs for their review and comments (Exhibit B). No response was received.

RECOMMENDATION:

That the Board approve the issuance of a Special Use Permit to the Duke Aiona for Governor Campaign Committee to hold a political fundraiser (Event) at the large pavilion at the Wailoa River State Recreation Area (Event Site) in accordance with the representations above-mentioned and subject to the following conditions whereby the Permittee shall:

1. provide security for the Event to prevent, among other things, the possession and use of illegal drugs;
2. obtain all necessary County of Hawaii and State of Hawaii permits;

ITEM E-1

3. procure and maintain, at its own cost and expense, in full force and effect throughout the term of this Special Use Permit, commercial general liability insurance, in an amount of at least \$1,000,000.00 for each occurrence and \$2,000,000.00 aggregate, with an insurance company or companies licensed to do business in the State of Hawaii. The policy or policies of insurance shall name the State of Hawaii as an additional insured. The insurance shall cover the entire Event Site, including all grounds and all roadways or sidewalks on or adjacent to the Event Site in the use or control of the Permittee;
4. operate food service in compliance with all applicable State Department of Health rules and regulations and the Fire Code of the County of Hawaii;
5. waive any and all claims they may have against the State of Hawaii and its respective officers, agents and employees, and agrees to defend, hold harmless and indemnify the State of Hawaii and its respective officers, agents and employees from any suits, actions and claims arising out of and in any way connected with the activities permitted under the permit;
6. not obstruct or unreasonably interfere with the general public in their normal use of the Wailoa River State Recreation Area;
7. be liable for repairs, replacement and/or payment for any damages incurred at the Event Site during the period of this permit;
8. pay the appropriate large pavilion rental fee together with an applicable refundable deposit and a \$100 per day commercial rental fee;
9. be responsible for clean up of the Event Site at the conclusion of the Event to the satisfaction of the Department;
10. provide supplies (i.e. toilet paper, soap, etc.) in the restrooms as needed, and shall monitor and clean the restroom on an hourly basis during the hours of the Event;
11. direct parking and traffic flow for the Event if required;
12. have the Event held within the confines of the large pavilion;
13. complete its Event, including clean up and vacate the Event Site prior to 12:00 midnight;

14. comply with any other conditions that may be imposed by the Department, the Board of Land and Natural Resources, the Chairperson and/or rule revisions adopted prior to the commencement of the Event.

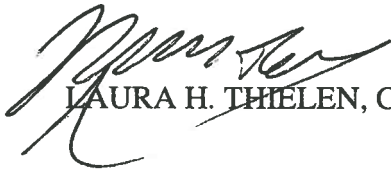
We also recommend that the Board delegate to the Chairperson the authority to approve future similar permits for events at the Wailoa River State Recreation Area including all appropriate fees, terms, and conditions based on the pattern of previously approved permits.

Respectfully submitted,



DANIEL S. QUINN
State Parks Administrator

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN, Chairperson

09-294

October 15, 2009

Dean H. Takebayashi
Hawaii Parks District Superintendant
75 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Takebayashi:

Aloha, my name is Desiree Aganus and I am writing to you to request the use of the Wailoa Pavilion (2A – Large Pavilion) for a campaign fundraiser. We have reserved the pavilion for Friday, February 19th, 2010, from 10:00 am to 11:59 pm for a chili fundraiser for the "Duke Aiona for Governor" Campaign. We were directed by your staff to submit a letter to request the use of the facility, due to the purpose and intent of our group.

Should you have any questions or concerns, please feel free to contact me at the following numbers:

Home: (808) 961-9994
Cell: (808) 989-5591

I look forward to hearing from you for approval of use.

Mahalo nui,



Desiree Aganus
Campaign Committee Member
Duke Aiona for Governor Campaign

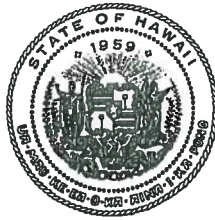
East Hawaii Campaign for Duke Aiona

2009 OCT 16 A 10:31
HILLO
HAWAII

EXHIBIT A

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LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

DIVISION OF STATE PARKS
POST OFFICE BOX 936
HILO, HAWAII 96721-0936
October 27, 2009

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL V. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Mr. Clyde Nāmu'o, Administrator
Office of Hawaiian Affairs
711 Kapiolani Blvd., Suite 500
Honolulu, HI 96813

Dear Mr. Nāmu'o:

Enclosed please find a copy of the following submittal that has been prepared for consideration by the Board of Land and Natural Resources:

Request from the Duke Aiona for Governor Campaign Committee to use the Large Pavilion at the Wailoa River State Recreation Area in Hilo, Hawaii for their a Political Fundraiser

Your comments, concerns, recommendations, etc., are appreciated. We would appreciate a response by November 10, 2009. If no response is received by that date, we will assume your agency has no comments.

Should you or your staff have any questions, please call me at (808) 974-6206.

Very truly yours,

A handwritten signature in black ink, reading "Dean H. Takebayashi".

Dean H. Takebayashi
Hawaii Parks District Superintendent

Enc.

EXHIBIT B